

ANDREW A. LOTHSON\*  
SWANSON, MARTIN & BELL, LLP  
330 N. Wabash  
Suite 3300  
Chicago, IL 60611  
alothson@smbtrials.com

GARY C. PINTER  
SWANSON, MARTIN & BELL, LLP  
103 W. Vandalia Street  
Suite 215  
Edwardsville, IL 62025  
(618) 655-3131  
gpinter@smbtrials.com

PAUL D. CLEMENT\*  
ERIN E. MURPHY\*  
MATTHEW D. ROWEN\*  
NICHOLAS AQUART \*  
CLEMENT & MURPHY, PLLC  
706 Duke Street  
Alexandria, VA 22314  
(202) 742-8900

*Counsel for Plaintiffs*  
*\*Pro hac vice*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CALEB BARNETT, BRIAN NORMAN,  
HOOD'S GUNS & MORE, PRO GUN AND  
INDOOR RANGE, and NATIONAL  
SHOOTING SPORTS FOUNDATION,  
INC.,

*Plaintiffs,*

v.

KWAME RAOUL, Attorney General of  
Illinois, and BRENDAN F. KELLY,  
Director of the Illinois State Police,

*Defendants.*

Case No. 3:23-cv-209-SPM

**Declaration of Plaintiff Caleb Barnett:**

I, Caleb Barnett, hereby declare as follows:

1. I am over the age of 18 years, and am qualified to submit this declaration on my own behalf. I have personal knowledge of the facts set forth in this declaration.

2. I am a law-abiding, adult resident of Sparta, Illinois, and am legally eligible to possess and acquire firearms.

3. I have a currently active Firearm Owners Identification (FOID) card.

4. I own multiple firearms that are now defined as “assault weapons” under the Protect Illinois Communities Act, House Bill 5471 (“HB 5471”), 720 ILCS 5/24-1.9, including an AKM-47 rifle with a 30-round magazine, a Sig Sauer M400 AR rifle with a 30-round magazine, and a Heckler & Koch VP9 Tactical pistol with a threaded barrel and a 17-round magazine.

5. I also own multiple other magazines that are now defined as “large capacity ammunition feeding devices,” under HB 5471, 720 ILCS 5/24-1.10.

6. I am able to retain possession of my current firearms and magazines, defined as “assault weapons” and “large capacity ammunition feeding devices” under Illinois law, only because I have been forced to register them with the State.

7. Under HB 5471, my possession of those firearms and magazines is also restricted to the following locations: “on private property owned or immediately controlled by [me]”; “on private property that is not open to the public with the express permission of the person who owns or immediately controls such property”; “while on the premises of a licensed firearms dealer or gunsmith for the purpose of lawful repair”; “at a properly licensed firing range or sport shooting competition venue”; or “while traveling to or from these locations,” provided that the firearm is unloaded and placed in a container. 720 ILCS 5/24-1.9(d), 1.10(d).

8. HB 5471 further restricts my ability to transfer those firearms and magazines. 720 ILCS 5/24-1.9(d) (restricting transfer to “an heir, an individual residing in another state maintaining it in another state, or a dealer licensed as a federal firearms dealer under Section 923 of the federal Gun Control Act of 1968”); *see also id.* at 5/24-1.10(d) (same).

9. But for HB 5471, I would not have to register with the State my current firearms now defined as “assault weapons” and magazines now defined as “large capacity ammunition feeding devices” under Illinois law, and I would not be so restricted in my possession and transfer of my lawfully purchased property.

10. But for HB 5471, I would also buy more firearms now defined as “assault weapons” under Illinois law and more magazines now defined as “large capacity ammunition feeding devices” under Illinois law.

11. HB 5471 infringes on my right to keep and bear arms for self-defense and in defense of my home.

12. Absent an injunction, I will suffer irreparable harm by being forced to cease otherwise lawful possession, transfer, and acquisition of commonly used firearms and magazines, defined by Illinois as “assault weapons” and “large capacity ammunition feeding devices.”

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of July 2024.

By: /s/ Caleb Barnett  
Caleb Barnett